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U.S. DISTRICT COURT

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S.D. OF N.Y.W.P.

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January 25, 2025

Hon. Robert Lehrburger
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Preemption Doctrine and Title II Violation for Access to the Court under ADA.

Case Title: Lucio Celli v. New York City et al.
Case No.: 2024-cv-09743

Dear Magistrate Judge Lehrburger,

I am writing to respectfully request the appointment of legal counsel to represent me in the above-referenced case, filed pursuant to Title VII of the Civil Rights Act of 1964. Under 42 U.S.C. § 2000e-5(f)(1), the court has discretion to appoint an attorney for a plaintiff in a Title VII claim, and I believe my circumstances merit such an appointment.

I have made diligent efforts to obtain legal representation on my own but have been unsuccessful. Specifically, I contacted several attorneys but was either turned down or informed that they were unable to take my case. Additionally, I am financially unable to hire private counsel.

I do not know if my case has merit or not. I believe, however, that an appointment would help us all. Although I believe I am capable of representing myself, the emotional aspect of the legal and procedural complexities of pursuing this matter in federal court make it difficult for me to adequately represent myself. This is all compounded by my distrust of the system, which would include lawyers. Please note—I will pay if a Pro Bono lawyer were willing to take my case, if the lawyer was willing with

knowing that I have little trust too. I want people to know certain, then there is my fear of what has transpired since 2015.

Standard of Review:

In determining whether to grant an application for counsel, the Court must consider "the merits of plaintiff's case, the plaintiff's ability to pay for private counsel, his efforts to obtain a lawyer, the availability of counsel, and the plaintiff's ability to gather the facts and deal with the issues if unassisted by counsel." Cooper v. A. Sargenti Co., Inc., 877 F.2d 170, 172 (2d Cir. 1989) (per curiam). As a threshold matter, in order to qualify for counsel Plaintiff must demonstrate that the claim had "substance" or "some chance of success." See Ferrelli v. River Manor Health Care Center, 323 F.3d 196, 204 (2d Cir. 2003) (quotation marks and citation omitted). In reviewing a request for counsel, the Court must be cognizant of the fact that volunteer attorney time is a precious commodity and, thus, should not grant a request for counsel indiscriminately. Cooper, 877 F.2d at 172. See Nieves v. N.Y.C. Dep't of Educ., 2024 U.S. Dist. LEXIS 233431, *2

Therefore, the "standard of Review" is my answer, Your Honor does not even need to any thought if the case has any type of merit or not. I will file this letter as I already said that I was looking for lawyer and I remembered that I saw a statute where the stated the Court could provide a Pro Bono lawyer. It took a while to find it in my disorganized system, but I found it because I thought, for a moment, that I dreamt the fact that the statute has this provision, as I know lawyers, in civil proceedings, it not a thought or right.

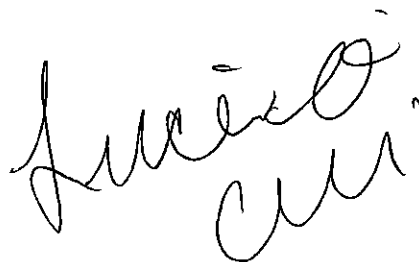
Most of my lawyers have never made any complaint of collusion, even though I thought it. Ms. Weingarten, however, with her zeal of covering up tracks for her belief that she harms me, and I am sadden by the loss of money. If Your Honor had a chance to glance at my rough pleadings, you have read that I emailed Ms. Weingarten and everyone, that I took active

Furthermore, having legal representation would greatly benefit my mental health by alleviating the stress and anxiety that I have in the case with surrounding factors. It would also lessen the burden on those who receive my emails, as the emails are not professionals and provide me with no additional help or advantage. Irrespective of what I believe or feel, the truth is that having an attorney would allow me to pursue this matter with a clear focus and reducing the strain on those who have been emailing—just saying the truth.

I fully understand if Your Honor cannot appoint an attorney, but I respectfully ask the court to consider my situation and circumstances that I am making this request, my unsuccessful attempts to secure counsel, and the potential benefit this appointment would have on both my mental well-being and my ability to effectively present my case with those who receive my emails.

Thank you for your time and consideration of this request. I am willing to provide any additional information the court may require.

Sincerely,
Lucio Celli

A handwritten signature in cursive script, appearing to read 'Lucio Celli'.

1/31/25